

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
DOCKET NO. 03-12584-JLT

FILED
CLERKS OFFICE
2006 JUL 31 P 2:23

U.S. DISTRICT COURT
DISTRICT OF MASS

WILLIAM H. DAVIS,
Plaintiff

v.

BERNARD J. HAGAN, JR.,
Defendant

AFFIDAVIT OF WILLIAM H. DAVIS

Now comes William H. Davis being duly sworn and deposes as follows saying:

1. I am the plaintiff in the above-indicated action.
2. As such, I am personally familiar with the facts as set forth in this

Affidavit.

3. The defendant Bernard J. Hagan, Jr. ("Hagan") is indebted to me for consulting services that I provided to him, and on his behalf to his companies, the Alta Group of Companies.

4. I provided the services to Hagan and/or the Alta Group of Companies in accordance with the terms of a December 5, 2002 consulting agreement.

5. These services continued from December, 2002 until July, 2003 when the agreement was terminated.

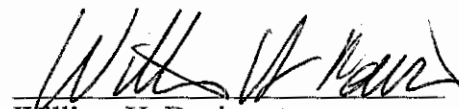
6. I made a demand upon Hagan for payment, but Hagan has failed and refused to pay to me the sums owed by him to me under the agreement.

7. The value of the services rendered, based on my regular hourly rate of \$300 per hour, is Ninety-Four Thousand Five Hundred Ninety (\$94,590) Dollars.

8. The defendant Bernard J. Hagan is not an infant or incompetent person, but is an individual currently residing in San Francisco, California.

9. Upon information and belief, the defendant is not in the military service of the United States subject to protection under the Soldiers and Sailors Relief Act.

Signed and sworn to under the pains and penalties of perjury this 26th day of July, 2006.


William H. Davis

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CERTIFICATE OF SERVICE

I, Leonard M. Davidson, attorney for William H. Davis, hereby certify that on this 28th day of July, 2006, I served a copy of the within motion for entry of default judgment upon defendant Bernard J. Hagan, Jr. by mailing a copy to him at his last and usual address of 1591 Jackson Street, San Francisco, California 94109.

William H. Davis,
By his attorneys,

Leonard M. Davidson, Esquire
Schlesinger and Buchbinder, LLP
1200 Walnut Street
Newton, Massachusetts 02461-1267
(617) 965-3500
BBO #115330

Dated: